

FILED

June 23 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

C R O W L E Y F L E C K PLLP

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June 22, 2010

Ed Smith  
Clerk of the Montana Supreme Court  
Room 323 – Justice Building  
215 North Sanders  
P.O. Box 203003  
Helena, MT 59620-3003

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JUN 23 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA


Re: Order of Mediator Appointment In the Matter of the Estate of Evalyn Virginia Burrell  
Cause No: DA 10-0224

Dear Mr. Smith:

This letter is to notify you that I cannot accept the mediation appointment in the above-entitled matter because of a conflict of interest in that one of the attorneys in our Kalispell office gave an opinion on this matter to one of the parties, Louis Burrell. I believe this is a conflict of interest situation that cannot be waived and therefore, the parties will either have to find a new mediator or the court will have to assign a new mediator to this matter.

Thank you for your consideration.

Very truly yours,

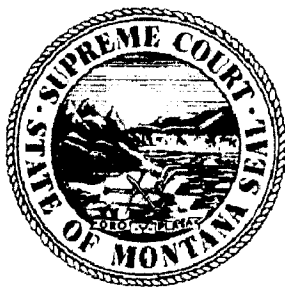


STEVEN J. LEHMAN

SJL:jcb

Enclosures

c: KD Feedback, w/o enc.  
Richard DeJana, w/o enc.



**RECEIVED**

**JUN 18 2010**

**CROWLEY FLECK PLLP**

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 10-0224

IN THE MATTER OF THE ESTATE  
OF EVALYN VIRGINIA BURRELL,

ORDER OF MEDIATOR APPOINTMENT

Deceased.

This appeal being subject to M.R.App.P. 7, and the parties having failed to jointly and timely select a mediator under M.R.App.P., 7(4)(c),

IT IS ORDERED THAT **Steven John Lehman**, whose name appears next on the list of attorneys desiring appointment as mediators for Money Judgments appeals which is maintained pursuant to M.R.App.P., 7(4)(e), is hereby appointed to conduct the mediation process required by M.R.App.P., 7(5), and

IT IS FURTHER ORDERED that the time periods set forth in M.R.App.P., 7(5)(d) shall run from the date of this order of appointment.

A true copy of this order is being mailed to counsel of record for the parties, or to the parties individually if not represented by counsel, on the date hereof.

DATED this June 17, 2010.

A handwritten signature in black ink, appearing to read "Ed Smith", is written over a horizontal line.

Ed Smith, Clerk of the Supreme Court

c: Kevin Dean Feeback, Richard P. DeJana, Steven John Lehman